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INTELLECTUAL PROPERTY LAW

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Date: December 3, 2003

Docket No.: 0020-5201P

MS PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a ☐ continuation ☒ divisional
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of
pending prior Application No. 09/984,982 filed on October 31,
2001, the entire contents of which are hereby incorporated by
reference,
by

Masakazu TANI, Yoshiyuki MAKITA, Norihisa YOSHIMOTO & Kenichiro
YOSHIDA

for

MAGNETIC RECORDING MEDIUM

1. ☒ Enclosed is an application consisting of specification,
claims, declaration and drawings/photographs (if

2. ☒ The filing fee has been calculated as follows:

| | | | LARGE ENTITY | SMALL ENTITY |
|---|-----------------|-----------------|---------------|---------------|
| BASIC FEE | | | \$770.00 | \$385.00 |
| | NUMBER FILED | NUMBER EXTRA | RATE FEE | RATE FEE |
| TOTAL CLAIMS | 5-20 = | 0 | x 18 = \$0.00 | x 9 = \$0.00 |
| INDEPENDENT CLAIMS | 1-3 = | 0 | x 86 = \$0.00 | x 43 = \$0.00 |
| <input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED | | | + \$290.00 | + \$145.00 |
| TOTAL | | | \$770.00 | \$0.00 |

3. ☒ A check in the amount of \$770.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. ☒ Enclosed is/are three (3) sheet(s) of formal drawings and/or photographs.
- 6a. ☐ A statement claiming small entity status was filed in prior Application No. 09/984,982 on _____. See the attached copy of the statement claiming small entity status.
- 6b. ☐ The current application qualifies for small entity status.
7. ☒ The prior application is assigned to Hitachi Maxell Ltd.
8. ☒ A Preliminary Amendment is enclosed.
- 9a. ☒ Priority of Application No(s). 333928/2000 filed in Japan on October 31, 2000 is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on February 27, 2002.
- 9b. ☐ Priority of International Appln. _____ filed on _____ under the Patent Cooperation Treaty and _____

Application No. _____ filed in _____ on _____ under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.

10. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.

11. ☒ Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

or

Customer No. 02292

12. ☐ An extension of time for _____ () month(s) until _____ has been submitted in parent Application No. 09/984,982 in order to establish co-pendency with the present application.

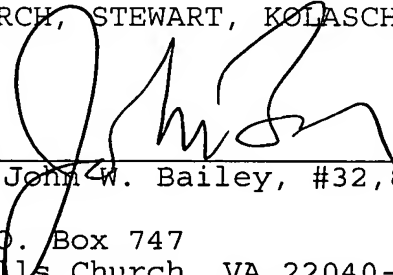
13. ☐ Also enclosed herewith is the following:

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


John W. Bailey, #32,881

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Falls Church, VA 22040-0747
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JWB/enm
0020-5201P

Attachment(s)

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: TANI, et al. Conf.: 2745
Appl. No.: 09/984,982 Group:
Filed: October 31, 2001 Examiner:
For: MAGNETIC RECORDING MEDIUM

L E T T E R

Assistant Commissioner for Patents
Washington, DC 20231

February 27, 2002

Sir:

Under the provisions of 35 U.S.C. § 119 and 37 C.F.R. § 1.55(a), the applicant(s) hereby claim(s) the right of priority based on the following application(s):

| <u>Country</u> | <u>Application No.</u> | <u>Filed</u> |
|----------------|------------------------|------------------|
| JAPAN | 2000-333928 | October 31, 2000 |

A certified copy of the above-noted application(s) is(are) attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

COPY

By _____
Joseph A. Kolasch, #22,463

JAK/lab
0020-4922P

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Attachment